

From: Koffi, LaRonda [Koffi.LaRonda@epa.gov]
Sent: 3/25/2021 2:59:01 PM
To: R3 WD [R3_WD@epa.gov]
CC: Pine, Jacqueline [Pine.Jacqueline@epa.gov]
Subject: Water Division Salient Issues and Activities Report for March 25, 2021
Attachments: 3-25-21 WD Salient Issues.docx

**Salient Issues
for Regional Administrator and Deputy Regional Administrator
Water Division**

<https://r3web2.r03.epa.gov/Salients/wpd/index.cfm>

March 25, 2021

Nonresponsive based on revised scope

Region 3 Wetlands Branch Sends First “may affect” Determination – On March 25, 2021, Region 3 signed its first “may affect” determination letters since the regulations were modernized on June 1, 2020 and became effective on September 11, 2020. Pursuant to Clean Water Act (CWA) Section 401(a)(2), Region 3 signed notifications to West Virginia, Virginia, Maryland, Delaware, Ohio, New Jersey, New York, and Seneca Nation that discharges authorized by the proposed Pennsylvania State Programmatic General Permit 6 (PASPGP-6) “may affect” the quality of their waters. Whenever EPA determines that a discharge associated with a federal permit or license “may affect” the quality of the waters of any neighboring jurisdiction, EPA must notify the jurisdiction within thirty days of receiving the notice from the other federal agency. EPA was notified by the U.S. Army Corps of Engineers - Baltimore District (USACE) of the application for PASPGP-6 and the associated Water Quality Certification from Pennsylvania Department of Environmental Protection on February 23, 2021. The neighboring jurisdictions have 60 days to determine if the discharge associated with the certified permit will affect the quality of their waters. PASPGP-6 is authorized by USACE for discharges of certain amount of fill material for activities to waters in Pennsylvania that drain to waters in these neighboring jurisdictions and will be valid for five years. (**Christine Mazzarella, 215-814-5756; Meredith Hudson, 215-814-2753; Office of Regional Counsel: Stefania Shamet, 215-814-2682**)

Nonresponsive based on revised scope

Nonresponsive based on revised scope